

Local Form 4A

September 2021

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE: JAMES REUBEN BURTON, JR. and
SUSAN HUNT BURTON
105 GRAHAM HALL COURT
MATTHEWS, NC 28104

TIN: XXX-XX-7903
XXX-XX-1811

Debtor(s)

Case No. 23-30128

Chapter 13

FILED
U.S. Bankruptcy Court, NCW

APR - 7 2023

Steven T. Salata, Clerk
Charlotte Division/GAA

AMENDMENT TO CHAPTER 13 PLAN
AND NOTICE OF OPPORTUNITY FOR HEARING ON CONFIRMATION OF THE PLAN
FOR CASES FILED ON OR AFTER SEPTEMBER 1, 2021

Check as applicable to this plan amendment:

1.1	A limit on the amount of a secured claim that may result in a partial payment or no payment at all to the secured creditor (Part 3.2)	<input type="checkbox"/> Added	<input type="checkbox"/> Removed	<input checked="" type="checkbox"/> No change
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest (Part 3.4)	<input type="checkbox"/> Added	<input type="checkbox"/> Removed	<input checked="" type="checkbox"/> No change
1.3	Request for termination of the 11 U.S.C. § 362 stay as to surrendered collateral (Part 3.5)	<input type="checkbox"/> Added	<input type="checkbox"/> Removed	<input checked="" type="checkbox"/> No change
1.4	Request for assumption of executory contracts and/or unexpired leases (Part 6)	<input type="checkbox"/> Added	<input type="checkbox"/> Removed	<input checked="" type="checkbox"/> No change
1.5	Nonstandard provisions	<input type="checkbox"/> Added	<input type="checkbox"/> Removed	<input checked="" type="checkbox"/> No change

The Chapter 13 plan, including certain motions and other provisions, is hereby amended as follows:

For each part of the Debtor's plan that is to be amended, the entire text of the part as amended must be included below.

2.3 Additional payments.

Check one.

- ☐ None. *If "None" is checked, the rest of Part 2.3 need not be completed or reproduced.*
- ☒ Debtor will make additional payment(s) to the Chapter 13 trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.

Future employment with Marigny for Debtor 1 will allow Debtor to make additional payments of \$5,500 per month for 36 (thirty-six) months in the near future.

3.1 Maintenance of payments and cure of default, if any. (Conduit mortgage payments, if any, are included here.)

Name of Creditor	Collateral	Value of Collateral	Current installment payment (including escrow) *	Estimated amount of prepetition arrearage (if any) *	LMM election (Y/N)
Carolinas Telco FCU	Primary Residence (Home)	\$1,100,000	\$5,015.81	\$19,870.70	N
			Disbursed by: Trustee		
Carolinas Telco FCU	2018 Audi Q7	\$30,000	\$746.04	\$2,221.24	N
			Disbursed by: Trustee		
Carolinas Telco FCU	2012 Chevrolet Avalanche	\$12,000	\$326.54	\$966.79	N
			Disbursed by: Trustee		
Union County Tax Office	Primary Residence (Home)	\$1,100,000	\$0	\$3,615.95	N
			Disbursed by: Trustee		
Town of Weddington	Primary Residence (Home)	\$1,100,000	\$0	\$287.00	N
			Disbursed by: Trustee		
Mariner Finance	Electronic Equipment	\$5,000	\$169.26	\$184.26	N
			Disbursed by: Trustee		
National Finance	TV, iPad, Garden Shovel	\$3,050	\$161.00	\$161.00	N
			Disbursed by: Trustee		
Regional Finance	TV, Computers, Lawn Mower	\$10,600	\$270.34	\$540.68	N
			Disbursed by: Trustee		

4.4 Priority claims other than attorney's fees and those treated in Part 4.5.

Check all that apply.

- ☐ None. If "None" is checked, the rest of Part 4.4 need not be completed or reproduced.
- ☒ Section 507(a) priority claims other than domestic support obligations (generally taxes and other government obligations).

Name of creditor	Claim amount
Financial Litigation Unit of the Western District of North Carolina	\$2,715,625.23 *

* This is a restitution. Debtor 1 has made payments in the past but no payments have been made in the last 18 months at least. Financial disclosures have been provided as requested.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 plan carefully and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to confirm the Debtor's proposed plan as amended, or if you want the court to consider your views on these matters, then you and/or your attorney must file a written objection to confirmation and request for hearing on confirmation at one of the following addresses:

Cases filed in the Charlotte or Shelby Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Suite 2500, Charlotte, N.C. 28202

Cases filed in the Statesville Division:

Physical Address: Clerk, U.S. Bankruptcy Court, 200 West Broad Street, Room 301, Statesville, N.C. 28677

Mailing Address: Clerk, U.S. Bankruptcy Court, 401 West Trade Street, Suite 2500, Charlotte, N.C. 28202

Cases filed in the Asheville or Bryson City Divisions:

Physical & Mailing Address: Clerk, U.S. Bankruptcy Court, 100 Otis Street, Room 112, Asheville, N.C. 28801-2611

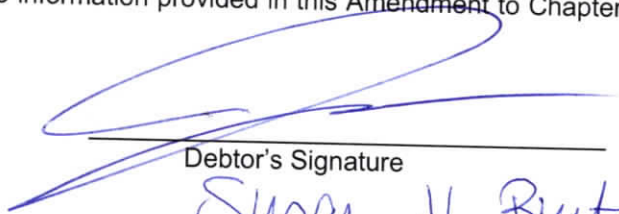
Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the court no later than 14 days following the conclusion of the § 341 meeting of creditors, or within 21 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the court for filing, you must mail it early enough so that the court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 trustee will be served electronically. If any objections to confirmation are filed with the court, the objecting party will provide written notice of the date, time, and location of the hearing. **No hearing will be held unless an objection to confirmation is filed.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the proposed plan of the Debtor as amended and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in this Amendment to Chapter 13 Plan is true and correct as to all matters set forth herein.

Dated 4/7/23

Dated 4/7/23



Debtor's Signature
Susan H. Buta

Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.

Dated _____

Attorney for the Debtor

[Attach Certificate of Service if Served on Creditor(s)]

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SUSAN HUNT BURTON
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MATTHEWS, NC 28104

Case No. 23-30128

Chapter 13

TIN: XXX-XX-7903
XXX-XX-1811

Debtor(s)

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN that on April 7, 2023 the above referenced Debtors filed an Amendment to Chapter 13 Plan (Local Form 4A).

Dated 4/7/23

Dated 4/7/23


Debtor's Signature

Susan H. Burton
Debtor's Signature

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
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Debtor(s)

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST


NOTICE IS HEREBY GIVEN that on April 7, 2023 the above referenced Debtors filed an Amendment to Chapter 13 Plan (Local Form 4A).

Because notice of the original Chapter 13 Plan (Local Form 4) filed on March 7, 2023 and the Amendment to Chapter 13 Plan filed on March 28, 2023 were not given, copies of both the original and the amendments are included.

Dated 4/7/23

Dated 4/7/23


Debtor's Signature


Debtor's Signature

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CERTIFICATE OF SERVICE

The undersigned debtors certify that a Notice to Creditors along with the Amendment to Chapter 13 Plan (Local Form 4A) has been served upon the parties to this bankruptcy listed below via regular USPS mail on April 7, 2023.

Carolinas Telco FCU
PO Box 668467
Charlotte, NC 28266-8467

Citi Bank
PO Box 6286
Sioux Falls, SD 57117-1002

Union County Tax Office
PO Box 38
Monroe, NC 28111-0038

Credit Corp Solutions Inc
63 East 11400 South 408
Sandy, UT 84070

Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Credit One
PO Box 60500
City of Industry, CA 91716-0500

Atrium Health
PO Box 71108
Charlotte, NC 28272-1108

Eye Care Center
7510 Pineville-Matthews Road
Suite 1A
Charlotte, NC 28226

Ballantyne Emergency Physicians, PLLC
501 Shelley Drive, Suite 300
Tyler, TX 75701

Hernandez Lawn Care
610 Red Cedar Lane
Monroe, NC 28110

Capital One
PO Box 71087
Charlotte, NC 28272-9904

Lending Club
595 Market Street, Suite 200
San Francisco, CA 94105

Chase Bank
PO Box 1423
Charlotte, NC 28201-1423

Mariner Finance
14045 E Independence Blvd
Unit C2
Indian Trail, NC 28079

Pay Pal Credit
PO Box 960006
Orlando, FL 32896-0006

National Finance
1102 Skyway Drive
Monroe, NC 28110-3003

American Coradius International LLC
2420 Sweet Home Road
Suite 150
Amherst, NY 14228-2244

Novant Medical
PO Box 8471
Coral Springs, FL 33075-8471

Wakefield and Associates LLC
7005 Middlebrook Pike
Knoxville, TX 37909-1156

Regional Finance
3607 Matthews Mint Hill Road
Suite 10
Matthews, NC 28105-4146

AT&T
Po Box 5074
Carol Stream, IL 60197-5074

Nationwide Recovery Systems, Ltd
501 Shelley Drive
Suite 300
Tyler, TX 75701

The original Chapter 13 Plan (Local Form 4), the Amendment to Chapter 13 Plan filed on March 28, and the Amendment to Chapter 13 Plan filed on April 7 been served upon the parties to this bankruptcy listed below via regular USPS mail on April 7, 2023.

KLMKH, Inc.
1771 Holly Springs Road, NE
Marietta, GA 30062

VW Credit Leasing, Ltd
PO Box 9013
Addison, TX 75001

Financial Litigation Unit of the Western District of NC
C/O U.S. Attorney's Office
227 West Trade Street, Suite 1650
Charlotte, NC 28202

Resurgent Acquisitions LLC
PO Box 10497
Mail Stop 576
Greenville, SC 29603

Natan Holdings, LLC
26690 Countryside Lake Drive
Mundelin, IL 60060

Crypto Colo Center Corp.
4601 E Douglas Avenue
Suite 150
Wichita, KS 67218

Jefferson Capital Systems, LLC
16 McLeland Road
Attn: Accounting Team
Saint Cloud, MN 59303

The undersigned debtors also certify that we informed the parties listed below of the Amendment to the Chapter 13 Plan as well as the Amendments to the Debtors Schedules via electronic means on April 7, 2023.

Jenny P. Holman
Office of the Chapter 13 Trustee
5970 Fairview Road, Suite 650
Charlotte, NC 28210
sfsloan@ch13clt.com

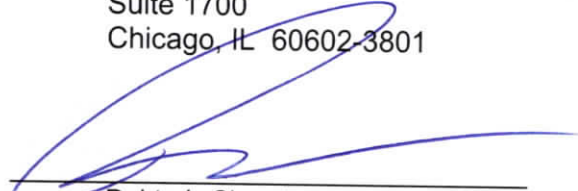
Bradley E. Pearce
Pearce Law PLLC
101 N. Tryon Street, Suite 600
Charlotte, NC 28246

Dated 4/7/23

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brad@pearcepllc.com

Andrew G. May
amay@nge.com
Jason A. Frye
jfrey@nge.com
Neal, Gerber & Eisenberg LLP
Two North LaSalle Street
Suite 1700
Chicago, IL 60602-3801


Debtor's Signature


Debtor's Signature